HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition Criminal No. 1245 of 2026

07 July, 2026

Suhana and Another

.....Petitioners

Versus

State Of Uttarakhand and others

.....Respondents

Presence:-

Mr. Bharat Singh and Ms. Pooja Rana, learned counsel for the petitioners.

Mr. Prabhat Kandpal, learned A.G.A. along with Jai Prakash Kandpal, learned Brief Holder for the State.

Hon'ble Alok Mahra, J. (Oral)

The petitioners have approached this Court seeking protection so that they may lead a peaceful life.

2. Heard learned counsel for the petitioners and perused the record.

3. Learned counsel for the petitioners would submit that petitioner no.1 and petitioner no.2 were in a relationship and have solemnized their marriage (Nikah) on 30.03.2026 in accordance with Muslim rites and customs. It is submitted that respondent nos.4 to 12, who are close relatives of petitioner no.1, are opposed to the said marriage and have been extending threats to the petitioners. On account of such opposition, the petitioners apprehend danger to their life and personal liberty at the hands of the private respondents and have, therefore, approached

this Court seeking appropriate protection.

4. It is further submitted that both the petitioners have attained the age of majority. According to the documents placed on record, the date of birth of petitioner no.1 is 05.01.2007, whereas the date of birth of petitioner no.2 is stated to be 01.01.1991, as reflected in their respective Aadhaar Cards.

5. Both the petitioners are present before this Court and have been duly identified by their learned counsel. They state that they have voluntarily solemnized their marriage of their own free will, without any force, coercion or undue influence. It is further submitted that although both the petitioners are permanent residents of District Muzaffarnagar, State of Uttar Pradesh, petitioner no.1 has been residing for the last about six years at Village Badhedi, within the jurisdiction of Police Station Kotwali Civil Lines, Roorkee, District Haridwar, in a rented accommodation belonging to one Mohd. Tasleem. The marriage between the petitioners was solemnized on 30.03.2026. In support of the same, the petitioner no.2 has submitted his affidavit. Same is taken on record.

6. Be that as it may, the petitioners claim to have attained the age of majority and have placed documentary proof of their age on record. They further assert that they have entered into the marriage voluntarily and are presently residing together as husband and wife. In the aforesaid

circumstances, and having regard to the law laid down by the Hon'ble Supreme Court in **Lata Singh v. State of U.P. and Another, (2006) 5 SCC 475,** this Court is of the considered opinion that the petitioners are entitled to protection of their life and personal liberty in accordance with law.

7. Accordingly, without expressing any opinion on the validity of the marriage or the inter se rights of the parties, the Station House Officer, Police Station Kotwali Civil Lines, Roorkee, District Haridwar, is directed to examine the representation of the petitioners and assess the threat perception, if any, to their life and personal liberty. In the event any real and imminent threat is found to exist, the concerned police authorities shall take appropriate measures to ensure adequate protection to the petitioners strictly in accordance with law. The Station House Officer shall also ensure that no person, including the private respondents or any other individual, takes the law into his or her own hands or causes any unlawful interference, intimidation, harassment or coercion to the petitioners on account of their marriage.

8. With the aforesaid observations and directions, the writ petition stands disposed of.

9. Pending applications, if any, shall also stand disposed of.

(Alok Mahra, J.)
07.07.2026

Mamta